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TO: Mail Stop AF	Fax No.: 571 273 8300	Telephone No.: 571 272 4163
U.S. Patent and Trademark Office	City: Alexandria	State: Virginia
TO: Examiner E. Coleman	Fax No.: 571 273 4163	Telephone No.: 571 272 4163
U.S. Patent and Trademark Office	City: Alexandria	State: Virginia

## CONCERNING APPLICATION:

Applicant(s):	Gurjeet S. Saund, et al.	Art Unit:	2183
Serial No.:	09/672,424	Examiner:	E. Coleman
Filed:	September 28, 2000		
Title:	COMPLEX INSTRUCTION SET COMPUTER		

## AFTER FINAL - EXPEDITED PROCEDURE

I hereby certify that the attached

- This FAX cover sheet
- Request to Withdraw Finality of Office Action (with Petition for Extension of Time)

along with any paper(s) referred to as being attached or enclosed) are being transmitted by facsimile on August 3, 2006 to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 3, 2006

By:

  
David E. Boundy  
Registration No. 36,461

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PATENT

AUG 03 2006

ATTORNEY DOCKET NO. 114596-31-000127BS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/672,424 Confirmation No.: 7407  
Applicant: Gurjeet S. Saund, et al.  
Title: COMPLEX INSTRUCTION SET COMPUTER  
Filed: September 28, 2000  
Art Unit: 2183  
Examiner: E. Coleman  
Atty. Docket: 114596-31-000127BS  
Customer No. 38492

## REQUEST TO WITHDRAW FINALITY OF OFFICE ACTION

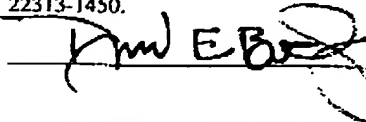
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant notes that the Office Action of June 19, 2006 is prematurely final, and requests that the status of the application be changed from "Final rejection mailed" to "Non final action mailed."

At ¶ 22, the Action expressly concedes that "new grounds of rejection" were raised. The independent claims are not amended, and the amendments to the dependent claims are exactly those "which should reasonably have been expected." Therefore, these "new grounds" are not necessitated by amendment, and final rejection is premature. MPEP § 706.07(a).

Further, ¶ 22 explains that there was no answer to material traversed in the Response of March 31, 2006 because of the new grounds of rejection. The Office must either "answer all material traversed" MPEP § 707.07(f), or develop and maintain a consistent position long enough to fairly develop issues for appeal. MPEP § 706.07. The Office cannot with one hand

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Request to Withdraw Finality of Office Action  
This paper dated August 3, 2006

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114596-31-000127BS

S/N 09/672,424

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Attorney Docket No. 114596-31-000127BS

Request Dated August 3, 2006 -- Request to Withdraw Finality of Office Action of June 19, 2006

say it won't explain its old position because it has changed position, and simultaneously decline to accept the consequences of its change of position.

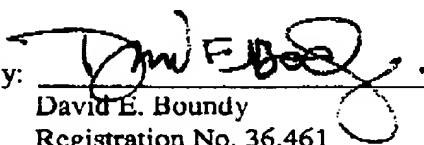
Final rejection should be withdrawn: the status of the application should be changed from "Final rejection mailed" to "Non final action mailed."

It is believed that this paper occasions no fee. The Examiner is urged to telephone Applicant's undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. Kindly charge any fee, or credit any surplus, to Deposit Account No. 23-2405, Order No. 114596-31-000127BS.

Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

Dated: August 3, 2006

By:   
David E. Boundy  
Registration No. 36,461

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